

will be reuniting for the first time in over fifty years.

If you were black and in the Navy before 1942, the only service you could render is that of mess attendant or steward. These positions were lowly and limited. So, in an effort to elevate their position and further integrate America's armed forces, then President Franklin Delano Roosevelt recruited and trained black musicians for service in a Naval band. These men became the members of the Great Lakes Band.

During the war, these extraordinary musicians traveled around the country lifting the spirits of servicemen and civilians with their melodies. In fact, it has been said that there has never been so many good musicians at any one place, at any one time, as there were at Great Lakes.

In spite of their committed and unprecendented service to our country, there is little awareness of their contributions and acknowledgments have been few. Mr. Speaker, that is why, especially as we come to the end of Black History Month, I believe it is highly appropriate, to ask my colleagues to join me in a salute to these extraordinary veterans. Their contributions are far-reaching, long-lasting, and worthy of our praise.

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MARTIN LUTHER KING, JR.  
MEMORIAL

**HON. DIANE E. WATSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 27, 2003*

Ms. WATSON. Mr. Speaker, I rise to encourage my colleagues to cosponsor a bill I have introduced today, which will extend the authority to construct a memorial to Rev. Martin Luther King, Jr. here in our nation's capital.

I must commend Alpha Phi Alpha Fraternity, Incorporated, of which Dr. King was a member, for their tireless efforts in bringing this project to fruition. In 1996, Congress authorized the fraternity to establish a foundation to manage the fundraising and design of a memorial to Dr. King. Alpha Phi Alpha accomplished both tasks by launching the Martin Luther King Jr. National Memorial Project Foundation Fund, Incorporated and developing and appropriate design.

The site for the monument covers four acres on the Tidal Basin between the Presidents Lincoln and Jefferson memorials. Dr. Martin Luther King, Jr. will be the first African American honored as such on the Mall of the nation's capital. Similar to the everlasting work and message of Dr. King, the memorial will last in perpetuity.

Mr. Speaker, it is long overdue that a monument is raised to honor the life and legacy of Dr. King. He made an enormous impact on America's collective moral fiber like no other human being. His principles of non-violence are universal and helped millions of people to overcome what seemed like insurmountable obstacles. It is fitting that his image be placed in the nation's capitol and enjoy the same status and significance as others who have left an indelible imprint on our nation and the world.

I encourage my colleagues to cosponsor this measure.

INTRODUCTION OF THE CLEAN  
WATER AUTHORITY RESTORA-  
TION ACT OF 2003

**HON. JAMES L. OBERSTAR**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 27, 2003*

Mr. OBERSTAR. Mr. Speaker, today I am introducing legislation to restore protection from destruction and pollution to all of the Nation's waters, including wetlands. This bill will amend the Clean Water Act to reestablish the original intent of Congress in that 1972 law to restore and maintain the chemical, physical, and biological integrity of the Nation's waters.

In January 2001, the Supreme Court issued an opinion that denies federal Clean Water Act protection for thousands of acres of waters that serve as habitat for migratory birds. Congress must approve this bill to overturn that decision—the Solid Waste Agency of Northern Cook County v. Army Corps of Engineers (The SWANCC case). This case was decided 5–4 contrary to the intent of Congress and against the grain of nearly 30 years of judicial and administrative precedent.

Unfortunately, since the Court's decision, the Administration has done nothing to rectify this misguided and misinformed undermining of Federal protections over waters of the United States, including wetlands. Where the environmentally responsible position to limit the impact on our nation's environment would have been to narrowly interpret the SWANCC decision and to support Congressional action to overturn this decision, the Administration has, instead, proposed to explore amending its rules and regulations to expand the list of waters not covered by the Clean Water Act. Instead of supporting efforts to correct the damage, the Administration's action continues the abandonment of at least one-fifth of the nation's waters. This is unconscionable.

Until the Supreme Court's decision in the SWANCC case, section 404 of the Clean Water Act served as the primary federal protection for wetlands that serve important habitat, flood control and water quality improvement functions. In the absence of section 404 protection, small, isolated waters, including wetlands, could be filled or drained without regard to the impact on the environment or human needs.

The Supreme Court has adopted a very narrow reading of the intent of Congress in drafting the Clean Water Act and has determined that protection of small water bodies is beyond the reach of the Act. As is stated in the dissenting opinion, "the Court takes an unfortunate step that needlessly weakens our principal safeguard against toxic water." I agree and would further observe that the Court's decision opens an opportunity for waters across the Nation to be destroyed and degraded—and one which this Administration is all too willing to exploit.

A bedrock objective of the Federal Water Pollution Control Act Amendments of 1972 was to restore and maintain the chemical, physical, and biological integrity of the Nation's waters. The legislative history and the statutory language of the Clean Water Act make it abundantly clear that Congress intended the broadest possible constitutional interpretation for the provisions of this precedent-setting law.

The essence of the Supreme Court's opinion is that when Congress used the term "navigable waters" in the Clean Water Act, Congress intended that there be some nexus to actual navigation and commerce. Congress, in the Clean Water Act, was very deliberate and careful to define "navigable waters" as, "the waters of the United States, including the territorial seas." Likewise, the legislative history and court decisions prior to SWANCC have given the term "navigable waters" the broadest possible interpretation.

The proposed legislation will eliminate the use of the term "navigable waters" throughout the Clean Water Act and replace it with "waters of the United States." A definition of waters of the United States also would be added to mean coastal waters, territorial seas, all interstate and intrastate bodies of water (including tributaries) to the full extent that they are subject to the power of Congress under the Constitution; specifically including a river, stream, lake, natural pond, mudflat, sandflat, wetland, slough, prairie pothole, wet meadow, playa lake, natural pond, and an impoundment to any of these waters. The proposed definition is a combination of long-standing interpretations of jurisdiction by the Environmental Protection Agency and the Corps of Engineers prior to the January 2001 decision. The bill restores Clean Water Act authority; the bill does not expand that authority.

Trout Unlimited, National Audubon Society, National Wildlife Federation, Sierra Club, American Rivers, Clean Water Network, Natural Resources Defense Council, Earthjustice, Defenders of Wildlife, U.S. Public Interest Group, Association of State Floodplain Managers, The Ocean Conservancy, the Izaak Walton League of America, and Clean Water Network support this legislation.

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MILITARY RETIREE DISLOCATION  
ASSISTANCE ACT

**HON. WALTER B. JONES**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 27, 2003*

Mr. JONES of North Carolina. Mr. Speaker, I rise today to reintroduce a common sense piece of legislation to help our military personnel preparing to retire. As my colleagues know, service members and their families will move many times in a typical military career. These permanent changes of station or PCS often involve considerable additional expense, including the loss of rental deposits, connecting and disconnecting utilities, and wear and tear on household goods.

To help defray these additional costs, Congress in 1955 adopted the payment of a special allowance—a dislocation allowance. This was done to recognize that duty station changes and resultant household relocations are due to the personnel management decisions of the armed forces and not the individual service members. This amount was increased in 1986 and again in recent years. This is an important benefit for our military members.

However, as important as this benefit is, there is a category of service members who are not eligible to receive the dislocation allowance—the military retiree. This is despite the fact a vast number are subject to the

same expenses as their active duty counterpart. In August 2000, the Marine Corps Sergeant Major Symposium recommended the payment of dislocation allowances to retiring members, who in the opinion of the Sergeants Major, bear the same financial consequences on relocating as those still on active service.

When active duty military members retire they must often seek employment not knowing what opportunities exist in the civilian world, where those opportunities are located, what the pay will be, or what possibilities are available for spousal employment. They are sometimes faced with the prospective employers who offer less wages knowing they are in receipt of retirement pay, and falsely believing that retirees don't need the same salary as civilians for the same position. Additionally, the new retiree will have to meet the same financial demands for mortgages, insurance, taxes, and food but on a smaller income.

For those reasons, I am reintroducing the Military Retiree Dislocation Assistance Act. This legislation would help ease the transition into retirement by amending 37 USC 407 to authorize the payment of a dislocation allowance to all members of the armed forces retiring or transferring to an inactive duty status such as the Fleet Reserve or Fleet Marine Reserve. The vast majority of these new retirees have given our Nation over 20 years of dedicated service. They have helped protect the very freedoms we all hold dear. Rather than simply pushing them out the door upon retirement, we should reward their service by providing modest assistance for their final change of station move. That is exactly what Military Retiree Dislocation Assistance Act does.

In closing Mr. Speaker, I would be remiss if I did not acknowledge the Fleet Reserve Association for their outstanding work on this initiative. I am an honorary shipmate of the FRA and proud to be so because of their steadfast commitment to the men and women of the military services, in particular the Navy, Marine Corps and Coast Guard family. FRA spent considerable time and effort towards the introduction and reintroduction of the Military Retiree Dislocation Assistance Act and I look forward to continuing our work together to see this important legislation enacted.

#### HONORING THE REMARKABLE CAREER OF THE REV. WOODROW MEDLOCK

#### HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 2003

Mr. GORDON. Mr. Speaker, I rise today to recognize the remarkable career of the Rev. Woodrow Medlock. He has preached the gospel for nearly seven decades and continues to spread God's word with tireless dedication.

Rev. Medlock is an inspiration in my hometown of Murfreesboro, Tennessee. His ministry has touched many lives and spanned many communities. He has founded several local churches and has pastored at many others across the Middle Tennessee region. He has also been involved in the founding of a school and a children's home, as well as other worthy organizations.

Rev. Medlock shows no signs of slowing down, either, as he will turn 90 years young

on Friday, February 28. A prime example of Rev. Medlock's untiring service to the Lord is his upcoming trip to Jamaica in April. Once there, he plans to take the good Lord's message to the Caribbean island's prisons, nursing homes and orphanages.

The world is a much better place because of Rev. Medlock. His faith and humanity have influenced all who know him. I congratulate Rev. Medlock for all the good he has done and wish him the best in the years to come.

#### HONOR CESAR CHAVEZ: A FIGHTER FOR ALL AMERICANS

#### HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 2003

Mr. FILNER. Mr. Speaker, I rise today to introduce H.R. 963, legislation to rename the Southeastern Post Office, in San Diego, California, the "Cesar E. Chavez Post Office."

In San Diego, as well as across the Nation, the name Cesar Chavez symbolizes dignity, admiration, and devotion to equality and human rights. This man dedicated his life to ameliorating human rights in our country. In the 1950s and 60s, when minorities were given little or no respect or rights, Cesar Chavez cleared the path for equality.

In the early 1950s, after fighting in World War II, Chavez began his involvement in battling racial and economic discrimination against Chicanos. As his attention and personal interest focused on the poor working conditions of farm workers, he realized that his dream was to start an organization to aid these workers.

Having been a farm worker himself, he was far too familiar with the inhumane working conditions farm workers were forced to endure. In 1962, he founded the National Farm Workers Association (NFWA), and in 1965, the NFWA joined an AFL-CIO sponsored union boycott against major table and wine grape growers. Through this five year long, successful boycott that rallied millions of supporters, the NFWA merged with the AFL-CIO union and formed the United Farm Workers (UFW).

From the beginning, the UFW followed the principals of nonviolence practiced by Gandhi and Dr. Martin Luther King, Jr. He organized peaceful demonstrations to bring attention to the farm worker's conditions. His slogan, Si se puede!, Yes, we can!, became known worldwide.

National attention to the farm workers came in 1968 when Senator Robert Kennedy visited Cesar Chavez in California after Chavez led a 25 day fast. Kennedy was right when he called Cesar "one of the heroic figures of our time."

Cesar continued to organize boycotts and strikes around the world against table grape growers in California. His efforts paid off when, in 1975, growers supported then California Governor Jerry Brown's collective bargaining law for farm workers, the 1975 Agricultural Labor Relations Act.

Cesar Chavez is remembered today for his continual efforts and dedication to justice and equality. As Cesar said, "There are many reasons why a man does what he does. To be himself he must be able to give it all. If a lead-

er cannot give it all, he cannot expect his people to give anything." The people of San Diego thank Cesar Chavez for always giving his all.

I urge my colleagues to support this legislation that recognizes such an honorable man by naming a San Diego Post Office in his honor.

#### NO SUPPORT FOR MIGUEL ESTRADA NOMINATION

SPEECH OF

#### HON. JIM RYUN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 2003

Mr. RYUN of Kansas. Mr. Speaker, I rise today to note that the other body has not acted on the judicial nomination of Mr. Miguel Estrada.

The constitution provides that the other body has the power to approve the President's choice of judges. This system has worked since the inception of our nation. But now the other body is being stopped from exercising its power to confirm or not confirm Mr. Estrada. In fact, they are conducting a filibuster to keep a confirmation vote from taking place.

To have a legislative body that is simply afraid to vote is not good for democracy. What do they fear? Is Mr. Estrada unfit? If so, they should simply vote "no."

In America, even our suspected criminals are guaranteed due process under law and a speedy trial. But Mr. Estrada, who the American Bar Association gave its highest rating and who has a top-notch record of fairness and respect for the law, is left to languish without even a hearing.

I urge the American people to call their Senators and tell them to give Estrada an up-or-down vote. They deserve nothing less than open and fair action.

#### INTRODUCTION OF THE FAIR MINIMUM WAGE ACT

#### HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 2003

Mr. GEORGE MILLER of California. Mr. Speaker, today I am honored to be joined by 73 of my colleagues in introducing legislation to increase the minimum wage. The legislation that we are introducing today provides for a \$1.50 increase in the minimum wage, in two steps. Our bill raises the minimum wage from its current level of \$5.15 per hour to \$5.90 sixty days after enactment and raises it again to \$6.65 one year thereafter. In addition, the legislation extends the applicability of the minimum wage to the U.S. Commonwealth of the Northern Mariana Islands. Our bill is identical to legislation introduced in the other body by the Democratic Leader, Mr. DASCHLE, and 34 of his colleagues.

The minimum wage has not increased from its present level of \$5.15 since 1997. A minimum wage worker who works 40 hours a week, fifty-two weeks a year earns \$10,712—almost \$7,500 below the poverty level for a family of four, more than \$4,300 less than the poverty level for a family of three, and \$1,200